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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

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National institutions for the promotion and protection of human rights

The General Assembly,

Recalling its previous resolutions, the most recent of which is resolution 63/172, and those of the Commission on Human Rights concerning national institutions and their role for the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles"),[1]

Reaffirming the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms, in strengthening participation and the rule of law, and in developing and enhancing public awareness of those rights and freedoms,

Recognizing the important role of the United Nations, and in particular the Office of the United Nations High Commissioner for Human Rights, in assisting the

[1] Resolution 48/134, annex.

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development of independent and effective national human rights institutions, guided by the Paris Principles, and recognizing also in this regard the potential for strengthened and complementary cooperation among the United Nations, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and those national institutions in the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations, in disseminating information on human rights and in education in human rights,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds, and that all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Recalling the programme of action adopted by national institutions, at their meeting held in Vienna in June 1993 during the World Conference on Human Rights,[3] for the promotion and protection of human rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

Taking note with appreciation of the reports of the Secretary-General to the Human Rights Council on national institutions for the promotion and protection of human rights[4] and on the accreditation process of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights,[5]

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions, and noting with appreciation the continuing work of the European Group of National Human Rights Institution, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia Pacific Forum of National Human Rights Institutions and the Network of African National Human Rights Institutions, encourages them to participate in the workshop on regional arrangements to be organized by the Office of the High Commissioner for Human Rights in 2010,

1. *Takes note with appreciation* of the report of the Secretary-General[6] and the conclusions contained therein;

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[2] A/CONF.157/24 (Part I), chap. III.
[3] See A/CONF.157/NI/6.
[4] A/HRC/10/54.
[5] A/HRC/10/55.
[6] A/64/320.

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in accordance with the Paris Principles;

3. *Recognizes* the role of independent national institutions for the promotion and protection of human rights in working together with Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from the international human rights mechanisms;

4. *Welcomes* the increasingly important role of national institutions for the promotion and protection of human rights in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights;

5. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[3] it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

6. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of all human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action;

7. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

8. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

9. *Recognizes* the role played by national institutions for the promotion and protection of human rights in the Human Rights Council, including its universal periodic review mechanism, in both preparation and follow-up, and the special procedures, as well as in the human rights treaty bodies, in accordance with Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007[4] and Commission on Human Rights resolution 2005/74 of 20 April 2005;[5]

10. *Stresses* the importance of financial and administrative independence and the stability of national human rights institutions for the promotion and protection of the human rights, and notes with satisfaction the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

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[3] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

[4] See *Official Records of the Economic and Social Council, 2005, Supplement No. 1* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

11. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions;

12. *Underlines* the importance of the autonomy and independence of the Ombudsman institutions, encourages increased cooperation between national human rights institutions and regional and international associations of Ombudsmen, also encourages the Ombudsman institutions to actively draw on the standards enumerated in international instruments and the Paris Principles to strengthen their independence and increase their capacity to act as national human rights protection mechanism, and, in this regard, reaffirms General Assembly resolution 63/169 on the role of Ombudsman institutions;

13. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional voluntary funds to that end;

14. *Requests* the Secretary-General to continue to provide the necessary assistance for holding international and regional meetings of national institutions, including meetings of the International Coordinating Committee of National Institutions, in cooperation with the Office of the High Commissioner for Human Rights;

15. *Encourages* national institutions, including Ombudsman institutions, to seek accreditation status through the International Coordinating Committee of National Institutions;

16. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national institutions;

17. *Encourages* all United Nations human rights mechanisms as well as agencies, funds and programmes to work within their respective mandates with Member States and national institutions in the promotion and protection of human rights with respect to, inter alia, projects in the area of good governance and rule of law, and in this regard welcomes the efforts made by the High Commissioner to develop partnerships in support of national institutions;

18. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.